

# TOWN OF SOUTHAMPTON

Department of Land Management  
Zoning Board of Appeals  
116 HAMPTON ROAD  
SOUTHAMPTON, NY 11968

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## ***PRELIMINARY AGENDA – NOT OFFICIAL***

### **SOUTHAMPTON TOWN ZONING BOARD OF APPEALS PUBLIC HEARING AGENDA August 6, 2015**

The Zoning Board of Appeals meeting is held in the Town Board Room, 116 Hampton Road, Southampton. Applications are scheduled to begin at 7:00 p.m., or shortly thereafter. Applications may not be heard in the order as they appear on this agenda. Current agendas may be viewed on the internet at the following address: [www.southamptontownny.gov](http://www.southamptontownny.gov)

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- APPROVAL OF MINUTES

**Please note: Applications highlighted in GRAY have requested an adjournment or have requested to withdraw the application**

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#### **MINOR VARIANCE REVIEW**

#### **SCTM - HAMLET**

None scheduled for this meeting

#### **NEW APPLICATIONS**

#### **SCTM – HAMLET**

1. **William Siegel** (appl.1500109) Brian 900-134-4-49.9 Bridgehampton  
227 Mid Ocean Drive  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) to legalize a third story containing a bedroom and bathroom constructed without benefit of a building permit and any other relief necessary.
2. **Maria Pasch** (appl. 1500110) Keith 900-189-1-27 Hampton Bays  
3 Shinnecock Place  
Applicant requests relief from Town Code §330-115C (continuance) for a proposed principal front yard setback of 25 feet where 33.6 feet is existing for proposed covered porch and Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 7,110 cubic feet (North side 639 cu ft (75 cu ft existing + 564 cu ft proposed) and South side 6,471 cu ft (3,130 cu ft existing + 3,341 cu ft proposed) for a proposed 2<sup>nd</sup> story addition to the existing dwelling on a nonconforming lot. In addition, applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) to allow a total lot coverage of 32.61% where a maximum of 20% is permitted on a nonconforming lot and any other relief necessary.

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**NEW APPLICATIONS - Continued**

**SCTM – HAMLET**

3.     **16 Aqua Drive, LLC** (appl. 1500111)     Denise     900-232-3-34     Shinnecock Hills  
16 Aqua Drive  
Applicant requests relief from Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 258 cubic feet for a proposed two-story dwelling and any other relief necessary.
  
4.     **LUJA, LLC** (appl. 1500112)     Helene     900-83-1-8.3     Bridgehampton  
227 Hayground Road  
SCTM# 900-38-1-8.3. Applicant requests relief from Town Code §330-135D (Housing for agricultural labor) for a side yard setback of 50 feet from the westerly property line where 150 feet is required for a proposed groom's quarters and any other relief necessary.
  
5.     **Amy Politi-Johnson** (appl. 1500113)     Denise     900-77-2-68     North Sea  
1 Lincoln Avenue  
Applicant requests relief from Town Code §330-110(F) (berms) and §330-109(A)(1) (fences, walls, accessory driveway structures, and clotheslines) to legalize a "functional" 6 foot high fence, to wit, a 4 foot high fence constructed on a 2½ foot high berm in a required front yard without the benefit of a building permit on a nonconforming lot; where no fence or wall shall be constructed on a berm and where no fence or wall in a required front yard shall have a height greater than four feet. Additional relief is required for "corner clearance" pursuant to §330-103(corner clearance): no wall or fence or other structure shall be erected to a height in excess of two feet within the corner clearance area on a nonconforming lot and any other relief necessary.
  
6.     **Claes Ekstrom & Cecile Matei** (appl. 1500114)     900-103-1-30     Water Mill  
35 Huntington Lane     Laura  
Applicant requests a determination that the subject parcel SCTM# 900-103-1-30 is held in single and separate ownership from the adjacent parcels identified as SCTM# 900-103-1-29 (South) and SCTM# 900-103-1-27 (South/East) and thus entitled to relief pursuant to §330-115D. If it is determined that the subject premises is a single and separate parcel, then applicant requests relief from the following provisions of the Town Code for a proposed two-story dwelling with pool and accessory building (pool house) on a nonconforming lot: 1. §330-11 (residential districts table of dimensional regulations) for total lot coverage of 23% where a maximum of 20% is permitted and a principal front yard setback of 35.8 feet to the proposed covered porch where 40 feet is required , 2. §330-115(D)(2) for a principal rear yard setback of 36.5 feet where 38.65 feet is permitted, 3. §330-77D (placement of accessory buildings and uses in residence districts) for rear yard coverage of 22.8% where a maximum of 20% is permitted, and 4. §330-84D (pyramid height) for a proposed encroachment in the amount of 3,492 cubic feet and any other relief necessary.

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### NEW APPLICATIONS - Continued

**SCTM – HAMLET**

7. **The Patricia A. Telford QPRT and The Ernest F. Telford QPRT** (appl. 1500116)  
23 Rawson Road Helene 900-10-1-94.12 Noyac  
Applicant requests relief from Town Code §330-77D (placement of accessory buildings and uses in residence districts) to allow a rear yard coverage of 20.6% where a maximum of 20% is permitted for a pergola constructed prior to the issuance of a building permit. In addition, applicant requests relief from Town Code §330-11 (residence districts table of dimensional regulations) for a principal total side yard setback of 58.4 feet where 60 feet is required for the first and second floor addition and attached three car garage and any other relief necessary.
8. **Westhampton Methodist Parsonage (a.k.a. Westhampton Methodist Church)** (appl. 1500115)  
116 Montauk Highway Herb 900-354-3-4 Westhampton  
Applicant is requesting relief from the following sections of Town Code for a proposed freestanding sign as follows: i) §330-205B(Freestanding signs, including pole and monument signs): §330-205B2: the sign will be located within the "corner clearance" area which is not allowed, ii) § 330-206(Zoning districts): § 330-206G2: the proposed height above grade is 7'-11" and the where the maximum height permitted is 6'-0" above grade, iii) §330-206G2: The proposed sign area of 33+/- sq. ft. exceeds the maximum area allowed of 18 sq. ft., iv) § 330-207(Illuminated signs):§330-207A: the proposed sign utilizes internal illumination(within the light box) which is only allowed in the Highway Business zoning district and any other relief necessary.
9. **Marko J. & Julie A. Ratesic** (appl. 1500117) 900-330-2-16.4 Westhampton  
3 Sophia Court Laura  
Applicant requests relief from Town Code §330-77D (placement of accessory buildings and uses in residence districts) for a proposed rear yard coverage of 38% where a maximum of 20% is permitted for the location of proposed tennis court on a nonconforming lot and any other relief necessary.
10. **JTEN Properties, Inc.** (appl. 1500118) Adam 900-231-1-30.1 Hampton Bays  
5 South Valley Road  
Applicant requests relief from Town Code §330-100(F)(1) (exemptions and waivers of parking and truck loading space requirements) and Town Code §330-78 (placement of accessory buildings and uses in nonresidential districts) to allow the coordination of 13 off street parking spaces to be located 0 feet from the westerly property line where a setback of 10 feet is required, on a site which benefits from a residential use located in a "Motel" zoning district, where the coordination of parking areas requires commercial sites and any other relief necessary.

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**READVERTISED APPLICATIONS**

**SCTM – HAMLET**

11. **JTEN, Inc.** (appl. 1100096) Adam 900-231-1-31 Hampton Bays  
295 East Montauk Highway  
Applicant is requesting relief for two signs on a nonconforming lot: Sign no.1 is an existing amortized awning sign and the request for relief is as follows: relief from Town Code §330-205(H) (general provisions) to allow the lettering on the awning to be 20 inches where a maximum height of 6 inches is permitted. Sign no. 2 is a proposed freestanding sign and the request for relief is as follows: 1. §330-205B(2): to allow the proposed location of the existing sign to be 1 foot from the southerly property line (Montauk Highway) where a setback of 20 feet is required, and 2. §330-84(D) (pyramid height) for an encroachment into the sky plane in the amount of 12 cubic feet. In addition, applicant request relief from the following provisions of the Town Code: (1) For a parking area to be located within transition yards: (i) 330-83G(1)(a) to allow a parking area to be located 1 foot from the northerly property line where a 17 foot setback is existing; (ii) Town Code §330-78 (placement of accessory buildings and uses in non residential districts) to allow a parking area to be located 0 feet from the easterly property line where a setback of 10 feet is required; and (iii) Town Code §330-100(F)(1) (exemptions and waivers of parking and truck loading space requirements) to allow a parking area (subject to Planning Board approval) to be located on a commercial site (subject premises) and the adjoining site to the East which benefits from a residential use located in a “Motel” zoning district, where the coordination of parking areas requires commercial sites and any other relief necessary.
12. **Dawn Thompson** (appl. 1500055) Herb 900-376-2-6 Westhampton  
69 Baycrest Avenue  
Applicant requests relief from Town Code §330-116 (extension) as it relates to §330-167B(1)(a) (specific types of variances) and relief from Town Code §330-84D (pyramid height) for the following: For House #69: Relief for an encroachment in the amount of 2,943 cubic feet (1868 cu ft prior to addition(s) + 1,075 cu ft additional encroachment) and For House #69B: Relief for an encroachment in the amount of 3,272 cubic feet (2,508 cu ft prior to addition(s) + 864 cu ft additional encroachment); all to legalize additions constructed without the benefit of building permits to two-existing dwellings on a nonconforming lot with four dwellings and any other relief necessary.
13. **James Harris** (appl.1500096) Brian 900-391-1-27.1 Westhampton  
642 Dune Road  
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) to allow the proposed dwelling to be 3 stories where a maximum of 2 stories is permitted and relief from Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 7,734 cubic feet for a proposed three-story house with attached decks on a nonconforming lot and any other relief necessary.

**NEW - ADJOURNED APPLICATIONS**

**SCTM – HAMLET**

None scheduled for this meeting

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**SCOPING SESSION**

**SCTM – HAMLET**

None scheduled for this meeting

**HOLDOVER APPLICATIONS**

**SCTM – HAMLET**

**Held over from the 7/2/15 meeting:**

14. **J. O'Brien Holdings, LLC** (appl. 1500101) Keith 900-158-1-15 Tuckahoe  
 509 County Road 39  
 Applicant requests relief from Town Code §330-83G(3) (yards) for a transitional front yard setback of 10 feet where 20 feet is required from Magee Street for proposed parking on a nonconforming lot and any other relief necessary.

**RE-OPEN FOR SUBMISSIONS ONLY**

don't use these headings unless needed

**RE-OPEN**

**SCTM – HAMLET**

**DECISIONS**

**DATE CLOSED**

**SCTM – HAMLET**

Alan & Judith Schrieber (written submissions)	Herb	7/2/15	900-341-1-28	East Quogue
Marcus & Susan Hewitt (written submissions)	Keith	7/16/15	900-24-4-31.1	Noyac
Brian Costello	Laura	7/16/15	900-88-1-27	Bridgehampton
Eric & Cecile Noziere (written submissions)	Helene	7/16/15	900-382-2-27.8	Westhampton
Lawrence Elliot	Keith	7/16/15	900-230-3-5	Hampton Bays
Ziel Feldman	Herb	7/16/15	900-179-2-27.1	Bridgehampton
Herringbone Crescent, LLC (written submissions by 7/31)	Laura	7/16/15	900-17-2-5	Noyac
Frederick & Lois Kelsey (written submissions by 7/31)	Adam	7/16/15	900-9-1-21	Noyac

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<u>DECISIONS (Continued)</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
Jack Hoffmann & Daniel Haynia	Denise	7/16/15	900-16-2-16	Noyac
Anthony Villareale	Brian	7/16/15	900-43-1-73.1	North Sea
RSA Southampton, LLC	Keith	6/4/15	900-99-1-5	North Sea
Camp Farrell, LLC	Adam	6/4/15	900-104-1-23.8	Bridgehampton
Ram Island 3, LLC (written submissions)	Laura	7/2/15	900-109-1-3	Tuckahoe
Nermin Brbutovic (written submissions)	Adam	5/21/15	900-231-1-15	Hampton Bays
Carlo & Jennifer Gabrielli (written submissions)	Helene	4/2/15	900-59-2-14	North Sea
395 Rose Hill Road, LLC (written submissions)	Helene	3/19/15	900-115-3-15.2	Water Mill